

March 24, 2017

VIA ELECTRONIC FILING

The Honorable Sandra J. Feuerstein
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Lisa Weitzman v. Long Beach City School District, et al.*,
Docket No.: 16 CV 03544 (SJF)(AYS)
Greengus et al. v. Long Beach City School District, et al.,
Docket No.: 16 CV 01955 (SJF)(AYS)

Dear Judge Feuerstein:

We represent many of the Defendants in the above-captioned cases, which have been deemed related to the matter of *G. et al. v. Long Beach City School District, et al.*, 17 CV 0453, which is also pending before your Honor, and are writing to request that these matters be stayed consistent with your Honor's Order in that matter.

At a Court conference yesterday in the *G. v. Long Beach CSD* matter, your Honor ordered that discovery will be stayed until a decision has been issued in an ongoing Education Law Section 3020-a hearing in the Long Beach School District which involves the parties to the above-captioned matters as well as the facts and events which form the basis for Plaintiffs' claims in those matters. As we discussed with your Honor at yesterday's conference, a stay will serve the interests of the parties, the Court, and judicial economy generally since the outcome of the ongoing 3020-a hearing will likely impact the scope of discovery, what may or may not be discoverable, and the scope of depositions as well as the total number of depositions that may be necessary in the first place. Additionally, the pendency of the 3020-a hearing may prevent the District Defendants from producing many documents without risking an adverse impact upon the 3020-a hearing and because it may intrude upon a privacy rights of the charged party in the event that there is an acquittal of some or all of the 3020-a charges.

Prior to submitting this letter, we reached out to counsel for all parties to discuss this issue. We have not been able to reach the plaintiff's counsel in the *Weitzman* matter, while the plaintiffs' counsel in *Greengus* has indicated that he objects to a stay. The defendants' counsel in both matters agree that the cases should be stayed in the same manner as in *G. v. Long Beach* and for the same reasons, including the additional reason that it would not serve the interests of the parties or this Court to have discovery in these matters proceed on a different schedule than

Hon. Sandra J. Feuerstein
Lisa Weitzman v. Long Beach City School District, et al.,
Docket No.: 16 CV 03544 (SJF)(AYS)
Greengus et al. v. Long Beach City School District, et al.,
Docket No.: 16 CV 01955 (SJF)(AYS)
March 24, 2017
Page 2 of 2

other matters which have already been deemed related. Defense counsel also believe that all discovery in these related cases should proceed on the same track.

Accordingly, we respectfully request that the above-captioned matters be stayed in a manner consistent with your Honor's previous Order in the related matter and that the stay apply to all outstanding discovery requests. A conference in this case and the *G. v. Long Beach* case has been scheduled for September 13, 2017, at which time all discovery issues can be addressed.

We also respectfully request, that if the stay is granted, that the current August 2017 deadline for the close of discovery in *Greengus* and *Weitzman* be adjourned. The initial discovery deadline was entered when the parties believed that the 3020-a would have been rendered by now, which has not come to pass.

We greatly appreciate the Court's time and attention to this matter.

Respectfully submitted,

SILVERMAN & ASSOCIATES



Lewis R. Silverman

LRS/GSS

cc: **VIA ECF**

All Counsel of Record